

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	
	§	
TEXAS INSTRUMENTS, INC. et al.,	§	Civil Action No. 6:12-CV-499
Defendants.	§	
	§	
	§	
	§	(LEAD CASE)
	§	
	§	JURY TRIAL DEMANDED
	§	

**DEFENDANTS' UNOPPOSED MOTION TO EXCEED PAGE LIMITS FOR CLAIM
CONSTRUCTION BRIEFING**

In accordance with Eastern District of Texas Local Rule CV-7(a)(1), Defendants in the above-captioned case respectfully move the Court for leave to exceed the page limit under P.R. 4-5 for Defendants' Responsive Claim Construction Brief ("Responsive Brief") and Plaintiff's Reply Claim Construction Brief.

In accordance with the Court's Scheduling and Discovery Orders, Defendants must file responsive claim construction briefs. *See* Dkt. Nos. 1331, 1332. Patent Rule 4-5(e) limits the Responsive Brief to 30 pages, through the incorporation of Local Rule CV-7(a)(1). In accordance with the Court's Scheduling and Discovery Orders, Plaintiff must file a reply claim construction brief. *See* Dkt. Nos. 1331, 1332. Patent Rule 4-5(e) limits the Reply Brief to 10 pages, through the incorporation of Local Rule CV-7(a)(1).

As instructed by the Court, the parties have met and conferred, but Defendants believe that more pages are needed to respond to Plaintiff's opening claim construction brief. Plaintiff, in return, has requested additional pages for its reply. This cooperation meets the objective of ensuring that the Court not be burdened with a number of motions requesting leave to separately brief additional claim terms by allowing the inclusion of all of the terms and supporting

arguments -- that subsets of the Defendants wish to incorporate --into a single response. Accordingly, the parties request that they be allowed to exceed the standard local rule page limit of 30 pages and 10 pages, by an additional 10 pages and 5 pages, respectively. The parties believe this request is reasonable in light of the specific circumstances of this case.

Thus, Defendants respectfully request the Court allow the Defendants to file a 40-page Responsive Claim Construction Brief and Plaintiff to file a 15-page Reply Claim Construction Brief.

Dated: September 5, 2014

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on September 5, 2014, to all counsel of record who are deemed to have consented to electronic service via the court's cm/ecf system per local rule cv-5(a)(3).

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